

REMARKS

In the present Amendment, Claim 1 has been amended to recite an outer core disposed radially about the inner core and attached to the inner core, the outer core disposed proximal to the proximal end of the stent, wherein a distal end of the outer core is engagable with the stent. Section 112 support for the amendment is found, for example, at page 14, lines 5-11 and Figures 1 and 11 of the specification. In addition, Claim 1 has been amended to delete the recitation "having a thumbscrew." Claims 2, 4-5, 7-8, 18-19, 23, 26-35, 41-50, 57, 60-61 and 63-68 have been cancelled without prejudice or disclaimer. In addition, the claims have been amended to correct their dependency or improve their form. No new matter has been added, and entry of the Amendment is respectfully requested.

Upon entry of the Amendment, Claims 1, 3, 6, 9-17, 20-22, 24-25, 36-40, 52-56, 58-59 and 69-88 will be pending, of which Claims 69-88 are withdrawn from consideration.

At page 2 of the Action, Claims 1-50, 52-61 and 63-68 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement.

Claim 1 has been amended to delete the recitation of a thumbscrew and Claim 61 has been cancelled. Accordingly, withdrawal of the § 112 rejection is respectfully requested.

At page 3 of the Action, Claims 5 and 6 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

Claim 5 has been cancelled and Claim 6 has been amended to depend from Claim 1, rendering this rejection moot.

In paragraph No. 7 of the Action, Claims 1-8, 23-28, 30, 32, 39-41, 43-47, 50, 52, 53, 57-61 and 63-68 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Lenker et al (US 6,126,685).

Applicants submit that this rejection should be withdrawn because Lenker et al does not disclose or render obvious the presently claimed delivery system.

Independent Claim 1 has been amended to recite an outer core disposed radially about the inner core and attached to the inner core. The outer core is disposed proximal to the proximal end of the stent, and the distal end of the outer core is engagable with the stent.

Lenker et al does not teach a catheter assembly including an inner core and *an outer core, wherein the outer core is disposed radially about the inner core and attached to the inner core, and the distal end of the outer core is in contact with the proximal end of the stent.*

Claims 60-61 and 63-68 have been cancelled.

Accordingly, reconsideration and withdrawal of the §102(b) rejection of Claims 1-8, 23-28, 30, 32, 39-41, 43-47, 50, 52, 53, 57-61 and 63-68 based on Lenker et al are respectfully requested.

In paragraph No. 10 of the Action, Claims 9-11 and 18-19 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lenker et al in view of Leschinsky (US 6,306,145).

In paragraph No. 11 of the Action, Claims 12-17 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lenker et al in view of Leschinsky and in further view of Healy et al (EP 1 095 634).

In paragraph No. 12 of the Action, Claims 20-22 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lenker et al in view of Blaeser et al (US 6,168,617).

In paragraph No. 13 of the Action, Claims 29, 31, 33-36 and 54-55 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lenker et al in view of Burns (US 5,032,113).

In paragraph No. 14 of the Action, Claims 37-38 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lenker et al in view of Lenker (US 5,683,451).

In paragraph No. 15 of the Action, Claim 42 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lenker et al in view of Del Toro (US 5,733,267).

In paragraph No. 16 of the Action, Claims 48-49 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lenker et al in view of Klein et al (US 5,002,558).

In paragraph No. 17 of the Action, Claim 56 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lenker et al in view of Harvey et al (US 4,607,868).

Applicants submit that all the above §103(a) rejections should be withdrawn for at least the same reasons that the rejection of independent Claim 1 based on Lenker et al should be withdrawn, as discussed above. All the secondary references do not make up for the deficiencies of Lenker et al.

Allowance is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Application No.: 10/779,315

Attorney Docket No.: A9038

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON DC SUGHRUE/80928

80928

CUSTOMER NUMBER

Date: November 25, 2008

Hui Chen Wauters
Hui C. Wauters
Registration No. 57,426